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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,672	02/19/2004	Yoshihito Kato	Q79812	1994
23373	7590	12/02/2004	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				SHIMIZU, MATSUICHIRO
		ART UNIT		PAPER NUMBER
		2635		

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/780,672	KATO ET AL.	
	Examiner	Art Unit	10
	Matsuichiro Shimizu	2635	

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 19 February 2004.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 9-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 9-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 19 February 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>11/25/04</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

*Response to Preliminary Amendment*

The examiner acknowledges canceled claims 1–8 and 21.

*Claim Rejections – 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 9–13 and 15–20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gokcebay (5,337,043) in view of Hurskainen et al. (6,155,089).

Regarding claim 9, Gokcebay teaches a locking security system, comprising: a key (Fig. 2, key 16), including a first storage which stores identification information (coded data 20);

a network (figs. 1 and 7, processor unit 15, manager 15); a manager, connected to the network; at least one terminal (Fig. 1, terminal unit 12b), connected to the manager via the network, the terminal provided with a door; a lock section, provided in the terminal and actuated by the key to lock or unlock the door; a receiver (Fig. 5, Key Reader 26), provided in the terminal to acquire the identification information from the key;

a second storage (Fig. 5, memory associated with small local processor 46), provided in the terminal to store registration information of the key;

and a checker (Fig. 5, authentication comparison associated with processor 46), which determines whether the identification information acquired by the receiver matches with the registration information.

But Gokcebay does not teach a limiter, which restricts an unlocking actuation of the key when the checker determines that the identification information does not match with the registration information.

However, Hurskainen teaches, in the art of lock system, a limiter (col. 6, lines 48–62, retract upon code matching suggests a limiter), which restricts an unlocking actuation of the key when the checker determines that the identification information does not match with the registration information for the purpose of providing unlocking. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include a limiter, which restricts an unlocking actuation of the key when the checker determines that the identification information does not match with the registration information in the device of Gokcebay because Gokcebay suggests unlocking via key and Hurskainen teaches a limiter, which restricts an unlocking actuation of the key when the checker determines that the identification information does

not match with the registration information for the purpose of providing unlocking.

Regarding claim 10, Gokcebay teaches the locking security system as set forth in claim 9, wherein the checker is provided in the terminal (Fig. 5, authentication comparison associated with local processor 46),.

Regarding claim 11, Gokcebay teaches the locking security system as set forth in claim 9, wherein the checker is provided on the network between the terminal and the manager (fig. 1, processing unit with ID memory 15).

Regarding claim 12, Gokcebay teaches the locking security system as set forth in claim 9, wherein the checker is provided in the manager (fig. 1, programming unit 17 suggests manager).

Regarding claim 15, Gokcebay teaches the locking security system as set forth in claim 9, wherein the manager includes a third storage a storage (col. 11, lines 8-11, group processor A, B or C storing ID suggests third storage) which stores unlocked information when the restriction of the unlocking actuation of the limiter is released.

Regarding claim 13, Gokcebay teaches the locking security system as set forth in claim 9, wherein the key includes a first communicator and the receiver includes a second communicator so that information including the identification information is communicated (Fig. 5, authentication comparison associated with processor 46 with first communication to transmit and second communication to check with stored ID).

Regarding claim 16, Gokcebay teaches the locking security system as set forth in claim 9, wherein the manager includes a writer which rewritably records the identification information in the first storage (fig. 1, printer 18).

Regarding claim 17, Gokcebay teaches the locking security system as set forth in claim 16, wherein the writer updates the identification information when the restriction of the unlocking actuation of the limiter is released (col. 11, lines 24–28, receiving report from processors suggests log of the key user).

All subject matters in claim 18 are disclosed in claim 9, and therefore rejection of the subject matters expressed in claim 18 are met by references and associated arguments applied to rejection of claim 9.

All subject matters in claim 19 are disclosed in claim 17, and therefore rejection of the subject matters expressed in claim 19 are met by references and associated arguments applied to rejection of claim 17.

Regarding claim 20, Gokcebay teaches the locking method as set forth in claim 18, further comprising the step of storing unlocked information when the releasing step is performed (col. 11, lines 24–28, receiving report from processors suggests log of releasing step of the key user).

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gokcebay in view of Hurskainen as applied to claim 13 above, and further in view of Lemelson (4,200,227).

Regarding claim 14, Gokcebay teaches the locking security system as set forth in claim 13, wherein information including the identification information is communicated via key reader (Fig. 5, authentication comparison associated with processor 46 with first communication to transmit and second communication to check with stored ID). But Gokcebay in view of Hurskainen does not teach radio wave communication is performed between the first communicator and the second communicator.

However, Lemelson teaches, in the art of lock system, radio wave

communication is performed between the first communicator and the second communicator for the purpose of providing wireless unlocking. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include radio wave communication is performed between the first communicator and the second communicator in the device of Gokcebay in view of Hurskainen because Gokcebay in view of Hurskainen suggests optical communication and Lemelson teaches radio wave communication is performed between the first communicator and the second communicator for the purpose of providing wireless unlocking.

*Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matsuichiro Shimizu whose telephone number is 571-272-3066. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-8576).

Matsuichiro Shimizu

November 25, 2004



MICHAEL HORABIK  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

